

## 1.0 Development Contribution Plan 7 – Wellard / Bertram

The development contribution area is shown on the Local Planning Scheme No. 2 (LPS2) scheme map as Development Contribution Area 7 (DCA7). The area is replicated in Appendix 1 – Development Contribution Area 7 Wellard/Bertram however should there be any discrepancies between Appendix 1 and the area of DCA7 shown on the scheme map, the scheme map shall prevail.

## 2.0 Purpose

The purpose of this development contribution plan report is to:

- a) Enable the application of development contributions for the development of new infrastructure which is required as a result of increased demand generated in the development contribution area;
- b) Provide for the equitable sharing of the cost of the infrastructure and administrative items between owners;
- c) Ensure that cost contributions are reasonably required as a result of the subdivision and development of land in the development contribution area; and
- d) Coordinate the timely provision of infrastructure.

Development within DCA7 and the identification of infrastructure items within the corresponding Development Contribution Plan (DCP) are guided by the following plans and documents:

- Jandakot Structure Plan (2007) – WAPC
- Casuarina Local Structure Plan (1997) – TBB
- Bertram North (Belgravia Central) Structure Plan – CLE Town Planning and Urban Design
- Wellard Residential Bollard Bulrush Local Structure Plan (Fairhaven Estate & Providence Estate, including Lots 1, 2 and 10 Johnson Road) Local Structure Plan (2012) - CLE Town Planning and Design
- Wellard West (Emerald Park) Local Structure Plan (2014)
- Lot 661 Local Structure Plan
- Oakebella Local Structure Plan
- Lot 502 Tamblyn Place Local Structure Plan
- Lot 670 Local Structure Plan
- State Planning Policy 3.6: Infrastructure Contributions (2021) – WAPC
- Liveable Neighbourhoods (2009) – WAPC
- Development Control Policy 2.3: Public Open Space in Residential Areas, WAPC
- Community Infrastructure Place (2018) – City of Kwinana

## 3.0 Period of the Plan

This plan will operate for 10 years from 3 October 2017 to 3 October 2027, in accordance with the City of Kwinana Local Planning Scheme (LPS) No 2.

## 4.0 Operation of Development Contribution Plan

This plan has been prepared in accordance with *State Planning Policy 3.6: Infrastructure Contributions* and operates in accordance with the provisions of section 5.15.5 Development Contribution Areas of LPS2.

## 5.0 Application Requirements

Where an application for subdivision, strata subdivision, development or an extension of land use is lodged which relates to land to which this plan applies, the local government shall take the provisions of the plan into account in making a recommendation on or determining that application.

## 6.0 Items included in the plan

This section of the DCP report identifies the item of infrastructure and land to be funded by development contributions collected from landowners within DCA7.

Asset ID	item
1.0	District Sporting Ground
1.1	Casuarina District Sporting Ground
2.0	Community Facilities
2.1	Branch Library (Districts A & B)
3.0	Administration
3.1	Land valuation and advice Administrative expenses General legal expenses Preparation of management tools

### 6.1 Casuarina District Sporting Ground – Asset ID 1.1

The City's Community Infrastructure Plan 2011-2036 (CIP) identifies the need for a District Sporting Ground to service Districts A and B as defined in CIP, Appendix 2 – Community Infrastructure Plan – Spatial Plan. DCA7 is located within District B.

The land acquisition and land improvement costs for this facility are to be shared across development within Districts A and B (DCAs 2-7) on a pro rata gross subdivisible area basis. The costs of buildings on the site will be administered and collected under the City's community contribution infrastructure development contribution plans (DCAs 8-15), pursuant to Amendment 145 to the City's LPS2. The improvement costs associated with DCA's 2-7 include earthworks, drainage, basic landscaping and turfing to part of the site and associated reticulation, general lighting paths, some additional car parking and establishment costs for two years.

### 6.2 Community Facilities – Branch Library Districts A and B – Asset ID 2.1

The City's adopted CIP identifies the need for a Branch Library to serve Districts A and B as defined in CIP, Appendix 4 – Community Infrastructure Plan Spatial Plan. DCA7 is located within District B and therefore only contributes towards that facility.

The CIP includes multiple community facilities to be provided within the Wandi- Anketell District Centre however as the Wandi-Anketell District Centre will likely be zoned commercial, there may not be a ready 'trigger' for land for these facilities to be provided through the standard POS process (as is the case for community facilities within residential subdivision). Consequently, it does seem prudent that land for these facilities be provided through development contribution plans.

The three community facilities to be located within DCP 2 – 7 (as per CIP) are:

#### Local Community Centre

- Conceptual land requirement as a stand-alone facility of 0.5ha
- Serves the future population of Wandi and Anketell North only

**District Youth Centre**

- Conceptual land requirement as a stand-alone facility of 0.7ha
- Serves the population of District A only (Wandi, Anketell North and Mandogalup)

**Branch Library (serves Districts A and B)**

- Conceptual land requirement as a stand-alone facility of 0.8ha
- Serves the population of Districts A and B (Wandi, Anketell North, Mandogalup, Anketell South, Casuarina, Wellard East and Wellard West / Bertram)

The City has explored the opportunity to provide the local community centre and branch library on a combined site, potentially within a two-storey building. Conceptual designs for the Wandi District Centre have included a ‘main street’ from Anketell Road through to Cordata Avenue (southern extension of Honeywood Ave). The main street would have retail and entertainment uses at ground level and a two-storey community facility building along this street could be an excellent attractor and focus for the area. The additional benefit is that there is a reduced cost to the applicable DCPs for the land acquisition component.

The CIP was consequently revised in 2021 to replace the Branch Library (referred to as District A Library) with a District Multi-purpose Community Facility. This combined facility replaces the Local Community Centre and District Youth Centre. The current scheme continues to refer to the facilities in the 2018 CIP, however Amendment 166 will update the DCP infrastructure items to reflect the revised 2021 CIP items.

Whilst the City is in the process of engaging an architectural firm to design the local community centre and branch library combined facility, conceptual drawings for the facility indicate the buildings and parking could be built on approximately 1.61ha of land. The area within the power line easements could potentially be used for car parking, although this will require more detailed design and consultation with Western Power.

As mentioned above, the three facilities serve different purposes and have three different catchments. The cost apportionment for the land acquisition therefore needs to reflect the different catchments in order to satisfy the need and nexus relationship. The recommended way to apportion these costs is demonstrated in the table below:

Facility	Land component as a standalone facility	Proposed combined facility proportion of land component
Local community centre	0.5ha	0.35ha
District Youth Centre	0.7ha	0.7ha
Branch Library (serves Districts A and B)	0.8ha	0.56ha
Total	2.0ha	1.4ha

**6.3 Administrative costs – Asset ID 3.1**

Administrative costs included in the DCP area generally consist of:

- Land valuations and advice
- Administrative expenses
- General legal expenses
- Preparation of management tools

## 7.0 Estimated Costs

Details of the cost apportionment can be seen in the Cost Apportionment Schedule.

Refer to Appendix 3 – Schedule of Costs for each infrastructure and administrative item.

### 7.1 District sporting Ground – Asset ID 1.1

The costs for DCA7 for the District Sporting Ground are estimated at **\$1,261,517.05** with the proportionate sharing of costs over DCA 2-7 shown in Appendix 3 – Schedule of Costs.

### 7.2 Community Facilities – Asset ID 2.1

The costs for DAC7 for the Branch Library are estimated at **\$174,990.28** with the proportionate sharing of costs over DCA 2-7 shown in Appendix 3 – Schedule of Costs.

### 7.3 Administrative Costs – Asset ID 3.1

Administrative costs are the actual administration costs of administering the DCP, including the year leading up to the annual review (up until June 2025).

## 8.0 Method of calculating contribution

Development contributions will be apportioned on a land area basis – either Developable Area or Gross Subdivisible Area. This allows for a simple, predictable method of apportioning costs which reduces the administrative burden on the DCP and enables the City to accurately advise prospective developers of the DCP costs.

Gross Subdivisible Area is defined as per Liveable Neighbourhoods, Western Australian Planning Commission.

Developable Area is defined as the total site area less areas for schools, community facilities, dedicated drainage reserves, regional open space, Conservation Category Wetlands (CCW) areas, transmission and infrastructure corridors, and land for regional roads.

## 9.0 Priority and timing of infrastructure delivery

Estimates for the timing of development of the infrastructure items included in DCP7 are shown below:

Priority	Infrastructure item	Anticipated timing	Comment
1	District Sporting Ground (land component – acquisition and basic improvements)	5-8 years	Required prior to and to tie-in with the City's Community Infrastructure Plan Capital Expenditure Schedule (2018). Community infrastructure construction currently scheduled for 2028-2030.
2	Community Facilities (land component – acquisition and	5-8 years	Required prior to and to tie-in with the City's Community Infrastructure Plan Capital Expenditure Plan (2018).

	basic improvements)		Community infrastructure construction currently scheduled for 2029-2031.
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## 10.0 Payment of contributions

### 10.1 Payment of contributions

The landowners' liability for cost contributions will arise in accordance with clause 5.15.5.13 of LPS2 and Local Planning Policy 4: Administration of Development Contributions.

The Cost Apportionment Schedule will determine the cost of each infrastructure item as follows:

Total estimate/actual cost of infrastructure item less any payments made from developers in the DCA area less any interest earned for the DCA area where there are surplus funds and interest has been earned = total liability of undeveloped lots payable.

The total liability of undeveloped lots payable for each infrastructure item will then be divided by the total gross subdivisible area or developable area (depending on the basis of the infrastructure calculation) to calculate a per hectare rate for the infrastructure item.

The landowner's liability for cost contributions is calculated based on the total gross subdivisible area or developable area (whichever is applicable) multiplied by the per hectare rate for the total liability of undeveloped lots payable for each infrastructure item.

### 10.2 Pre-funded infrastructure works

LPS2 allows for development contributions to be paid for in the form of works in kind provided that the contribution is provided in accordance with the Priority of Works, at the standard and costs, as pre-approved by the City of Kwinana. This provision allows the dedication of land, construction of capital works or other service in lieu of a monetary contribution for future urban development. Refer to the City's Local Planning Policy 4: Administration of Development Contributions for the procedures and required information.

It must be noted that all "works in kind" to be undertaken by the landowner/developer that relate to an infrastructure item within the DCP will only be accepted on the proviso that the City has approved the scope, cost estimate and detail of the works in accordance with Clause 5.15.5.14(c) of LPS2 prior to the works occurring and has entered into a Letter of Agreement with the relevant landowner/developer. Any reimbursement of DCP funds will occur in line with section 10.3.4 of this DCP Report.

### 10.3 Other Matters

#### 10.3.1 Grant Funding

Generally, DCP infrastructure items do not attract grant funding. As part of the formulation of the liability of road infrastructure, developers are liable for costs based on the traffic they generate and only to an urban standard. All other liability falls with the City and the City is responsible for this share of the infrastructure works. Therefore, in the event that the grant funds received relate to works carried out over and above the developer contribution requirements, the developer will not benefit from this. The developer will not receive a reduction in liability. The City's contribution for constructing the road infrastructure over and above the urban standard will be reduced based on any grants received.

Such circumstances would be demonstrated via traffic modelling and the like, whereby existing and external users of a particular road may necessitate the need for a higher order road, but the need and nexus of proposed users within the respective DCA would justify the need for an urban standard, lower order road.

Where the City receives a grant for DCP infrastructure where the developer is liable to contribute to the works, the developer will receive a reduced liability for that DCP infrastructure item when the grant has been formally approved and the CAS has been adjusted accordingly as undertaken on an annual basis.

### 10.3.2 CPI for Infrastructure Constructed within DCA

As a result of the CAS being reviewed annually, there is no requirement to include CPI in any infrastructure items that have not been constructed. The cost of the infrastructure works is reviewed annually which would factor in any price increases or decreases of all future works and the amount required to be collected will be applied across the remaining lots to be developed.

For works already constructed, no CPI will be applied to any infrastructure works that a developer has carried out as an in-kind contribution, as the development company generally ceases to operate once development has occurred.

### 10.3.3 Interest

#### Interest applied across the DCA infrastructure items

Interest earned as part of funds in the DCA area is to be applied across all of the infrastructure items based on a pro rata amount paid towards each infrastructure item. The interest applied will be the actual interest earned for that period for the DCA area.

#### Interest applied to an infrastructure item where there are insufficient funds in the DCA to refund the developer who has carried out the works in kind

If there are insufficient funds in the DCA to refund the developer as a result of being approved credits for any works carried out, interest will only commence being calculated once the next Cost Apportionment Schedule review has been undertaken and approved by Council. A Cost Apportionment Schedule is reviewed annually and therefore once both the City of Kwinana and the Developer agree on the credit provided and determine whether there are sufficient funds to refund the developer, will interest commence calculating. Interest will be calculated and credited to the developer using the Reserve Bank of Australia Cash Rate Target monthly average rate, which is the volume-weighted average interbank overnight interest rate on a per annum basis, and commence after Council has reviewed the Cost Apportionment Schedule for credits claimed after the previous Cost Apportionment Schedule approved by Council and the latest Cost Apportionment Schedule approved by Council. Interest will be calculated monthly using the previous months released monthly average rate divided by 12 months and multiplied by the amount outstanding to the developer (the amount due to be refunded to the developer). The interest calculated will be included in the cost of the relevant infrastructure item and updated in the CAS annually for the remaining developers in the DCA area to contribute to. The developer that is due the refund will not receive the interest calculated until such time as there are sufficient funds in the DCA account.

### 10.3.4 Reimbursement of DCP funds

Any reimbursement of DCP funds to the relevant landowner – in respect of agreements entered into between the City and the landowner for payment of cost contributions and the adjustment of final cost contributions thereof, or reimbursement to the landowner for approved DCP works undertaken – will only occur if sufficient funds are available within the relevant DCP account.

Once a DCP has been gazetted, the accompanying cost apportionment schedule adopted and all legal agreements for the particular DCP reconciled, then no further reimbursement(s) of DCP funds shall occur until all stages of the development are completed in instances where a particular development comprises several stages.

In addition, no interest earned on funds to be reimbursed shall apply to individual claims for reimbursement once the DCP has been finalised, the accompanying cost apportionment schedule adopted and all legal agreements for the particular DCP reconciled. Instead, all interest earned within the individual DCP account will serve to reduce the total cost contribution liability for the respective DCA as a whole.

#### 10.3.5 Claims on Actuals

The costing attributable to a particular DCP item is comprised of either an estimate (where works for the item have not commenced or claims on actuals have not been received, and are reviewed and updated annually by independent, professional technical experts) and/or an actual amount for the approved works that have been undertaken.

Prior to works proposed to be undertaken on any approved infrastructure item as per this DCP, all plans and cost estimates are first to be approved by the relevant City Officer(s). A Deed of Agreement or Exchange Letter may firstly be required to be entered into between the City and the landowner(s) for this purpose.

To assist in the timely preparation of the annual cost apportionment schedule review by the City, all claims on actuals for approved works undertaken for DCP items must be received by the City by the end of December in any calendar year for inclusion as actuals against costings of the relevant DCP item.

Claims on actuals are required to be presented with the following information:

- A coversheet summary of the approved works undertaken for the relevant item;
- An itemised spreadsheet of claims relevant to the works undertaken detailing specific costs (GST exclusive) vis a vis works undertaken and the dates on which the works were undertaken; and
- Copies of the invoices relevant to the works undertaken.

It must be noted that the costing of actuals, if greater than the City's estimate for the particular item of infrastructure, will only be credited or reimbursed to the extent of the City's estimate that is in the CAS.

#### 10.3.6 Two Year Establishment Cost

A two-year establishment period is applicable to all landscaping works for DCP items, including landscaping to roads, POS areas and Living Streams in the context of Sub-drains.

Similar to claims on actuals, actuals attributable to the two-year establishment period are to be provided to the City annually by the end of December in any calendar year, in order to be included in the ensuing annual update of the CAS.

Further, and similarly to claims on actuals, actuals attributable to two-year establishment costs are to be presented with the following information:

- A coversheet summary of the two years' establishment costs incurred to date;
- An itemised spreadsheet of claims relevant to the two years' establishment detailing specific costs (GST exclusive), establishment works undertaken and the date on which the specific establishment work was undertaken; and
- Copies of the invoices relevant to the works undertaken.

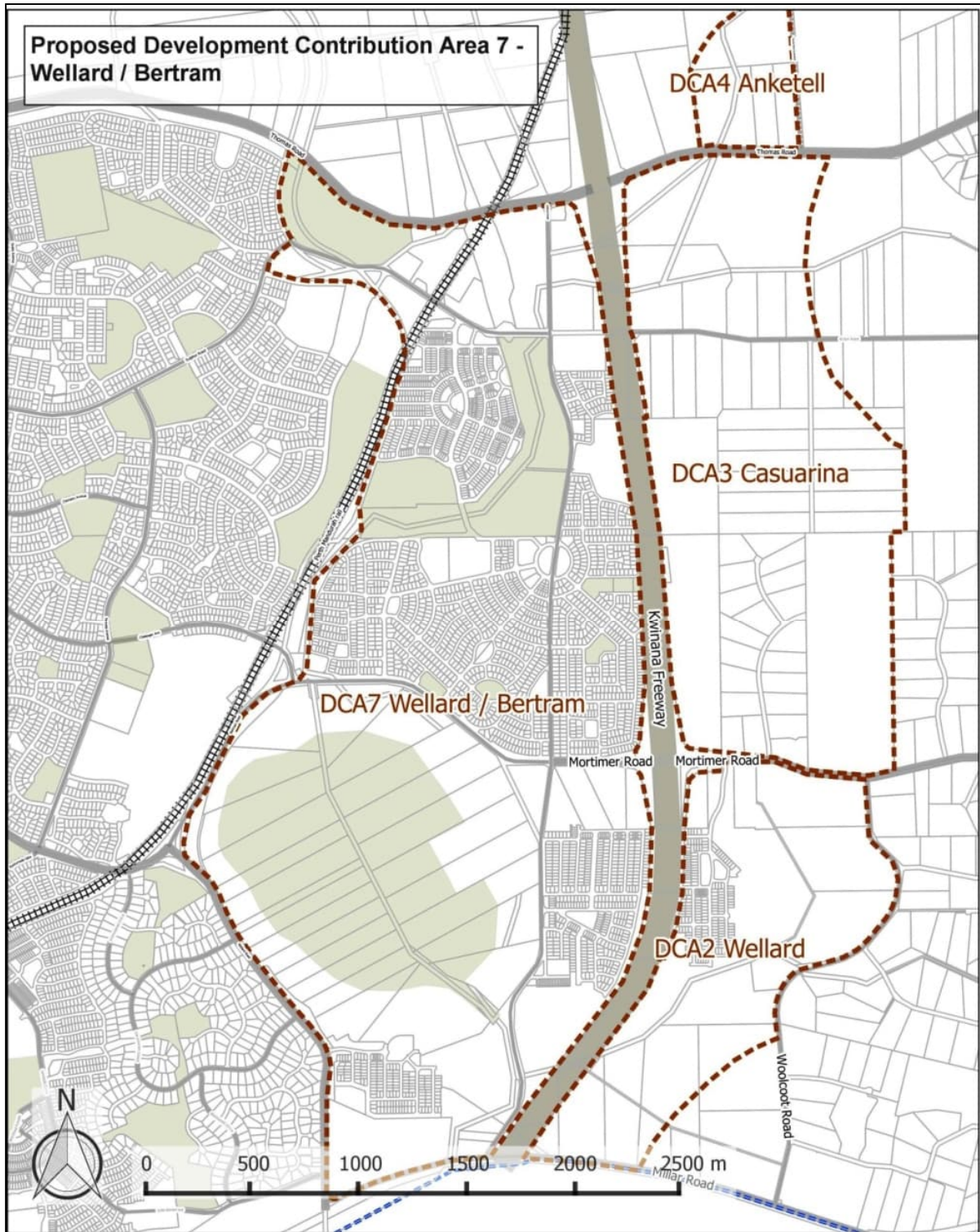
## **11.0 Review**

The DCP will be reviewed five years from the date of gazettal of Amendment 100A to Local Planning Scheme No. 2, or earlier should the City consider it appropriate having regard to the rate of development in the area and the degree of development potential still existing.

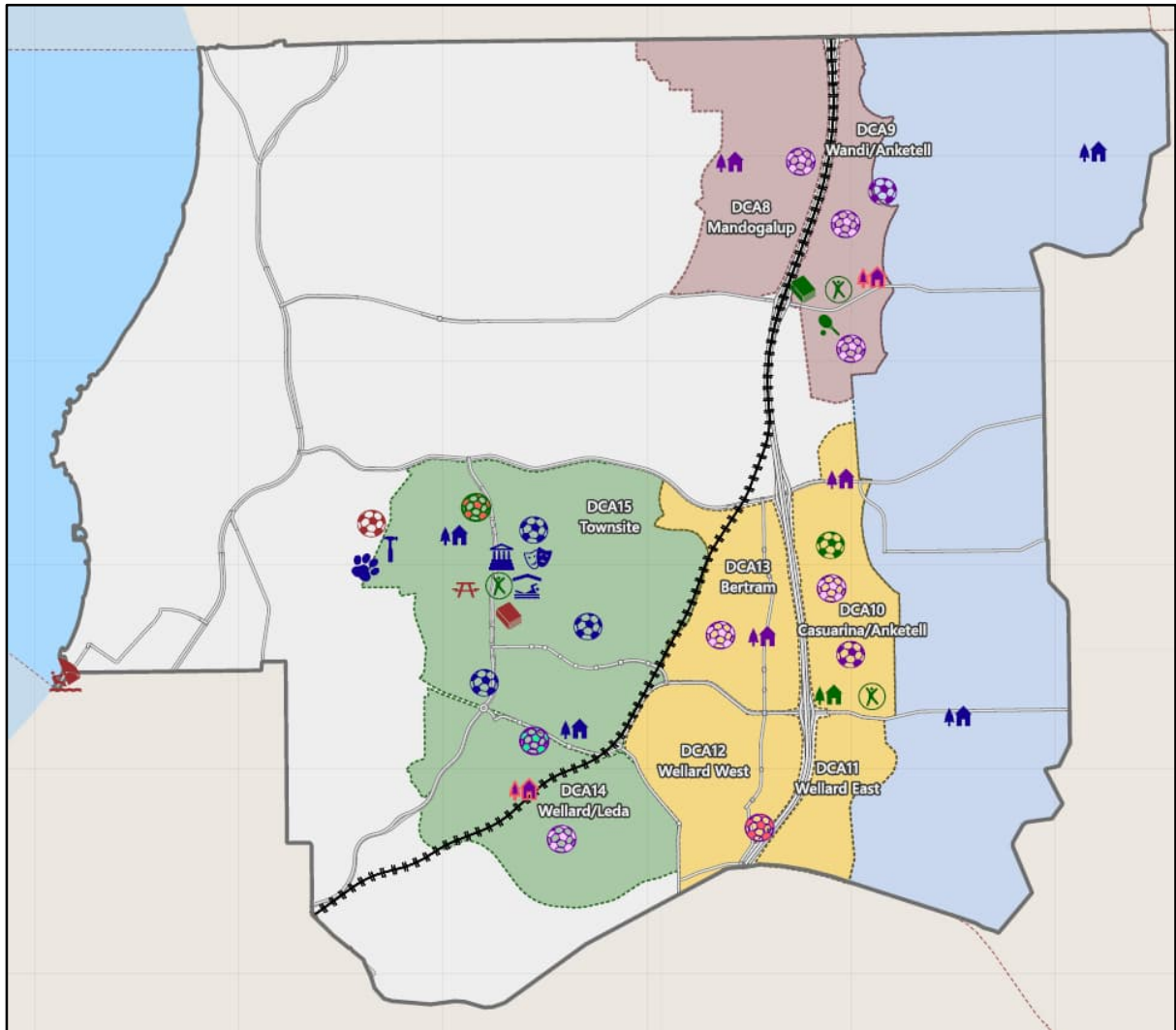
The estimated infrastructure costs as shown in the cost apportionment schedule will be reviewed at least annually to reflect changes in funding and revenue sources.

## Appendices

### Appendix 1 – Development Contribution Area 7 Wellard/Bertram



Appendix 2 – Community Infrastructure Plan – Spatial Plan



Appendix 3 – Schedule of Costs

Casuarina District Sporting Ground – Asset ID 1.1

	<b>Total site area (ha)</b>	<b>Deductions for GSA</b>	<b>GSA</b>	<b>District Sporting Ground for DCA</b>
<b>DCA 2 - Wellard East</b>	134.86	51.04	83.82	<b>\$ 962,478</b>
<b>DCA 3 - Casuarina**</b>	266.98	145.42	121.56	<b>\$ 1,395,808</b>
<b>DCA 4 - Anketell</b>	132.25	36.67	95.58	<b>\$ 1,097,502</b>
<b>DCA 5 - Wandi</b>	209.80	66.91	129.31	<b>\$ 1,484,718</b>
<b>DCA 6 - Mandogalup</b>	111.39	18.66	92.73	<b>\$ 1,064,718</b>
<b>DCA 7 - Wellard West/ Bertram</b>	209.67	99.80	109.87	<b>\$ 1,261,517</b>
	<b>1,064.95</b>	<b>418.50</b>	<b>632.88</b>	<b>\$ 7,266,742</b>

\*\* estimated figures only as no local structure plan for Casuarina has been adopted

Community Facilities: Branch Library Districts A and B – Asset ID 2.1

	<b>Total site area (ha)</b>	<b>Deductions for GSA</b>	<b>GSA</b>	<b>Branch Library for DCA</b>
<b>DCA 2 - Wellard East</b>	134.86	51.04	83.82	<b>\$ 133,509</b>
<b>DCA 3 - Casuarina**</b>	266.98	145.42	121.56	<b>\$ 193,618</b>
<b>DCA 4 - Anketell</b>	132.25	36.67	95.58	<b>\$ 152,239</b>
<b>DCA 5 - Wandi</b>	209.80	66.91	129.31	<b>\$ 205,951</b>
<b>DCA 6 - Mandogalup</b>	111.39	18.66	92.73	<b>\$ 147,692</b>
<b>DCA 7 - Wellard West/ Bertram</b>	209.67	99.80	109.87	<b>\$ 174,990</b>
	<b>1,064.95</b>	<b>418.50</b>	<b>632.88</b>	<b>\$ 1,008,000</b>

Administrative costs – Asset ID 3.1

Administrative costs are based on actual administration costs incurred in administering the DCP, for the year leading up to the annual review.